

W \_\_\_\_\_  
PRC \_\_\_\_\_

**CALIFORNIA STATE LANDS COMMISSION  
STATE OF CALIFORNIA  
SURVEY PERMIT PRC \_\_\_\_\_  
GENERAL INLAND GEOPHYSICAL SURVEY PERMIT**

Pursuant to Division 6 of the California Public Resources Code and Title 2 of the California Administrative Code, the State of California, acting by and through the California State Lands Commission (State or CSLC) hereby issues \_\_\_\_\_ (Permittee), a non-exclusive geophysical survey permit subject to the following terms and conditions.

**TERMS AND CONDITIONS**

1. **Permit Area**: This permit covers inland state waters and/or sovereign and dry surface lands under the jurisdiction of the CSLC.
2. **Terms of Permit**: This permit shall commence on \_\_\_\_\_, and shall continue until \_\_\_\_\_, unless terminated sooner as provided in this permit.
3. **Scope of Activities**: This permit authorizes the conduct of geophysical survey activities including those techniques necessary for surface geophysics, borehole geophysics, and the utilization of low-energy geophysical equipment qualifying for a categorical exemption under the California Environmental Quality Act for Class 6: Information Collection, California Code of Regulations, title 2, section 2905, subdivision (e)(3).
4. **Definitions**: As used within this permit, unless the context indicates otherwise, "CSLC staff" means the Executive Officer of the CSLC or other person designated by the Executive Officer. Any other terms used within this permit shall be consistent with the definitions found in Title 2, California Code of Regulations section 2100.02.
5. **Pre-Survey Requirements**: The Permittee is authorized under this permit to collect geophysical data, subject to the following conditions.
  - a. Pre-Survey Notices (Exhibit A): The Permittee shall follow the complete notification procedure set forth in Exhibit A for all proposed geophysical surveys.
  - b. Pre-Survey Notification Form (Exhibit B): The Permittee shall complete and submit Exhibit B of this permit to CSLC staff five (5) days in advance of survey activities. The information on Exhibit B shall include, but not be limited to, the expected dates of survey operation; number of survey days; and a written list of the specific make and model of all such equipment the Permittee intends to

use, including any and all specifications regarding decibel levels and frequencies.

- i. If, after the list of equipment is provided by the Permittee pursuant to this Section, CSLC staff requests additional information about the listed equipment, the Permittee shall promptly provide all such requested information.
    - ii. If, after receipt of the list of equipment and any information that may be requested under this Section, CSLC staff directs the Permittee that certain equipment may not be used or may be used only under certain specified circumstances or that the Permittee must delay the survey until more information is provided, then the Permittee shall comply with any and all such direction.
  - c. Oil Spill Contingency Plan (OSCP): For surveys conducted over water, an OSCP shall be prepared and submitted by the Permittee for review and approval by CSLC staff and include, at a minimum, measures that: (1) specify the steps to be taken in the event of a spill, including names, phone numbers, and locations of (i) nearby emergency medical facilities, (ii) wildlife rescue/response organizations (e.g., Oiled Wildlife Care Network), (iii) containment procedures, and (iv) cleanup procedures; (2) describe crew training and equipment testing procedures; (3) describe the quantities and location of spill response equipment aboard the vessel; and (4) specify that vessel fueling shall only occur at an approved docking facility (i.e., no cross-vessel fueling shall be allowed).
  - d. New Information Provided: If, subsequent to the issuance of this permit, it is the CSLC staff's opinion that evidence has emerged indicating that the location, type, length, equipment to be used, or conduct of a proposed survey, noticed under Exhibit A herein, has the potential to cause substantial environmental impact, CSLC staff reserves the right to impose conditions on the location, type, length, equipment to be used, or conduct of the proposed survey in order to reduce the risk of substantial environmental impact, up to and including cancellation of the survey activity.
  - e. Compliance with the provisions of this Section: The Permittee shall not perform any geophysical survey under this permit unless the Permittee has complied with the provisions of this Section.
6. **Multiple Use:** This permit is non-exclusive and is issued subject to all existing valid rights of the State at the date of this permit. Such rights shall not be affected by the issuance of this permit. The State shall have the right to issue additional non-exclusive survey permits and leases or other entitlement for uses, which are not inconsistent with this permit.

7. **Operations:**

- a. The Permittee shall conduct all activities with due regard for the preservation of the property covered by this permit, potential environmental impacts, seasonal work windows established to avoid impacts to sensitive species, peak fishing seasons, and with due caution to minimize damage to third parties.
- b. Geophysical Survey Permit: A copy of this permit, as well as copies of all other Federal or State permits or authorizations (if applicable), shall be onboard the primary survey vessel or at the survey work site during survey operations.
- c. Vessel Fueling: Vessel fueling shall only occur at an approved docking facility. No cross-vessel fueling shall be allowed.

8. **Observers:**

- a. CSLC staff may require the Permittee to furnish food, quarters, and marine transportation, if necessary, for a CSLC staff representative on any vessel conducting operations authorized by this permit. The CSLC staff representative may observe or inspect all operations conducted pursuant to this permit. For surveys on dry surface lands, the CSLC may require the Permittee to furnish land transportation to allow a CSLC staff representative to observe or inspect all operations.
- b. If the CSLC staff representative notes permit violations or determines adverse environmental impacts are being caused or are imminent, the representative may recommend suspension of activities to CSLC staff. Upon approval by CSLC staff, the representative may carry out the suspension of the activities allowed under this permit pursuant to Section 14 of this permit.

9. **Post-Survey Requirements:** The Permittee shall notify the Statewide Geophysical Coordinator via email at [slc.ogpp@slc.ca.gov](mailto:slc.ogpp@slc.ca.gov) within one (1) working day of survey completion.

10. **Third Party Damage Claims:** The Permittee shall make a good-faith effort to settle all claims brought by third parties for damages resulting from the Permittee's geophysical survey activities.

11. **Bond:** Unless deemed inapplicable pursuant to California Code of Regulations, title 2, section 2100.06, the Permittee shall furnish, and maintain, until released by the CSLC, a bond or letter of credit in the sum of fifty thousand dollars (\$50,000.00), in favor of the State, for its exclusive use and benefit, to guarantee the faithful performance by the Permittee of this permit's terms and conditions and satisfaction of third-party damage claims. The bond or letter of credit shall be delivered to the CSLC at the address specified in Section 16, prior to the effective date of this permit. The bond or letter of credit shall be non-cancellable and shall, by its own terms, remain in effect until at least one hundred fifty (150) days after the termination date of this permit, unless earlier released by the CSLC.

12. **Insurance**: At the option of CSLC staff, the Permittee shall submit a certificate of self-insurance or procure and maintain liability, property damage, or other insurance for the benefit of the State in an amount satisfactory to CSLC staff.
13. **Indemnity**: The Permittee agrees to indemnify, hold harmless and, at the option of the State, defend the State of California, its officers, agents, and employees against any and all claims, demands, causes of action, or liability of any kind which may be asserted against or imposed upon the State of California or any of its officers, agents or employees by any third person or entity arising out of or connected with the Permittee's operations hereunder.
14. **Modification, Revocation, or Suspension**: The activities provided for in this permit may be suspended, in whole or in part, upon a finding by CSLC staff that suspension of the activity authorized by this permit would be in the public interest. Such suspension shall be effective upon receipt by the Permittee of a written or oral (to be confirmed in writing) notice thereof which shall indicate: (1) the extent of the suspension; (2) the reasons for the action; and (3) any corrective or preventive measures to be taken by the Permittee deemed necessary by CSLC staff to meet the general public interest.
- a. The Permittee shall take immediate action to comply with the provisions of the suspension. The Permittee may request a hearing before the CSLC in order to present information relevant to a decision as to whether the Permittee's permit should be reinstated, modified, or revoked.
  - b. This permit may be modified or revoked by CSLC staff upon thirty (30) days' notice at its reasonable discretion. Notwithstanding, if pursuant to Section 5(c) of this permit, the permit is modified because new information indicates that use of certain equipment that had been permitted prior to modification of the permit is likely to result in significant adverse effects upon the environment, then a prohibition on use of that equipment shall become effective immediately upon receipt of the notice of modification from CSLC staff.
  - c. Any suspension, modification, or revocation of the Permittee's permit shall not be a basis for any claim for damages against the State of California.
15. **Permits**: The Permittee shall obtain all necessary and applicable permits and obey all laws and regulations applicable to the conduct of operations under this permit.
16. **Notices**: All written notices to the State or Permittee which are not part of the notification procedure identified in Exhibit A shall be deemed to have been fully given when made in writing, and deposited in the United States mail, with first class postage prepaid, addressed as follows:

To the State:                      California State Lands Commission  
                                            Attention: Statewide Geophysical Coordinator  
                                            100 Howe Ave., Suite 100-S  
                                            Sacramento, CA 95825

To the Permittee:

Attention:

The address to which notices shall be mailed may be changed by written notice, as is provided in this paragraph.

17. **Assignment:** The Permittee may not assign, sublease, or transfer this permit or any interest therein. However, the Permittee may subcontract part or all of the work to be performed. No subcontract shall relieve the Permittee of its responsibilities or obligations herein. The subcontractor shall be the agent of the Permittee, and the Permittee shall remain responsible to the State under the terms of this permit.
18. **Successors:** If for any reason this permit is transferred by operation of law or otherwise, it shall apply to and bind the heirs, successors, executors, administrators, and assigns of all of the parties to this permit. All parties to this permit shall be jointly and severally liable under the terms of this permit.
19. **Section 504 Federal Rehabilitation Act of 1973 Compliance Statement:** "The Permittee will not discriminate against any person or entity, in regard to the administration or operation of any agreement made under this procedure, on the basis of race, color, creed, national origin, sex, marital status, religious or political affiliation, ancestry, disability, age or sexual orientation."

IN WITNESS WHEREOF, the parties hereto have executed this permit as of the date entered below.

**STATE OF CALIFORNIA  
STATE LANDS COMMISSION**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Marina Voskanian  
P.E. Division Chief  
Mineral Resources Management Division

**PERMITTEE\***

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City, State, and Zip Code

\* In executing this document, the following is required:

Corporations: Certificate of Corporate Secretary providing that the Board of Directors authorized the execution of this permit specifically or authority to execute documents of this type generally. An example of the type of form required is attached as Exhibit C.

Individuals: Acknowledgment of signature is required.

## EXHIBIT A

### PRE-SURVEY NOTIFICATION REQUIREMENTS

The State may, upon thirty (30) calendar days' notice to the Permittee, prescribe additional or different procedures to be followed by the Permittee.

1. General Requirements: Whenever surveys are proposed to be commenced under this permit, the Permittee shall give notice in the following manner:
  - a. At least five (5) calendar days in advance of any proposed operations, written notice of the proposed operations (see subsection 2 below) must be sent to the Statewide Geophysical Coordinator by email at [slc.ogpp@slc.ca.gov](mailto:slc.ogpp@slc.ca.gov).
  - b. The Permittee shall use its best efforts to notify CSLC staff and any other affected individuals of substantial addition, modification, deviation, delay, or cancellation concerning the survey area or survey dates described in the original notice. The Permittee shall notify the Statewide Geophysical Coordinator by email of such changes prior to their occurrence.
2. Contents of Notice: The written notification required shall include information in the format requested in Exhibit B and outlined below:
  - a. The exact dates through which the survey will be conducted within any given specific area of the general permit area and the daily hours of operation during such period;
  - b. A map or visual reference indicating the specific site(s) being surveyed;
  - c. A list of equipment to be used during the survey, including all of the equipment information requested in Exhibit B, and the and length(s) of the tow(s), if applicable; and
  - d. The name and telephone number of a representative of the Permittee who can resolve multiple-use conflicts.

## EXHIBIT B

### PRE-SURVEY NOTIFICATION FORM

Permittee's Mailing Address

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Date: \_\_\_\_\_

Permit # PRC: \_\_\_\_\_

Water/Surface Survey: \_\_\_\_\_

Survey Location: \_\_\_\_\_

Check one: ☐ New Survey ☐ Time Extension  
☐ New Survey Series ☐ Part of Existing Survey Series

1. Date(s) of Operation (Survey Window): \_\_\_\_\_

2. Number of Survey Days: \_\_\_\_\_

3. Hours of Operation: \_\_\_\_\_

4. Survey Purpose/Objective: \_\_\_\_\_

5. Survey Equipment: \_\_\_\_\_

**Applicant's Representative**

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**CSLC Representative**

Kelly Keen  
Statewide Geophysical Coordinator  
100 Howe Ave., Suite 100-S  
Sacramento, CA 95825  
(916) 574-1938



## **EXHIBIT C**

### **INSTRUCTIONS: CORPORATE APPROVAL**

In order for a Non-Exclusive Geophysical Survey Permit to be issued, the Commission requires proof that the Directors of the Corporation seeking the permit have given their approval to the terms of the permit. Attached is a Certificate of Corporation. Please complete the form and attach a copy of the resolution adopted by the Applicant to obtain the permit.

If the Applicant is not a corporation, please provide some explanation as to the authority of the person seeking this permit.

## CERTIFICATE OF SECRETARY

I certify that:

I am the duly qualified and acting (Assistant) Secretary of \_\_\_\_\_  
\_\_\_\_\_, a \_\_\_\_\_  
(Name of Corporation) (Name of State)

corporation authorized to do business in California.

The attached is a true copy of a resolution duly adopted by the Board of Directors of the corporation at a regular (or special) meeting duly held on \_\_\_\_\_, 20\_\_ and entered in the minutes of such meeting in the minute book of the corporation.

The resolution is in conformity with the articles of incorporation and by laws of the corporation, has never been modified or repealed, and is now in full force and effect.

Dated: \_\_\_\_\_, 20\_\_.

*(Corporation Seal)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Secretary